

### REMARKS

This application has been reviewed in light of the Office Action dated August 11, 2004. Claims 1, 2, and 4-13 are now pending in this application. Claim 3 has been canceled, without prejudice or disclaimer of subject matter. Claims 1, 2, 4, and 5 have been amended to define more clearly what Applicant regards as his invention. Claims 6-13 have been added to provide Applicant with a more complete scope of protection. Claims 1, 5, 7, and 10 are in independent form. Favorable reconsideration is requested.

The attached sheet of drawings includes changes to Fig. 11, in that Fig. 11 has been labeled "PRIOR ART" as required in paragraph 1 of the Office Action.

Claim 3 was rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Cancellation of Claim 3 renders the rejection of that claim moot. Applicant is not conceding the propriety of this rejection.

Claims 1-5 were rejected under 35 U.S.C. § 103(a) as being obvious from Applicant's admitted prior art (Fig. 11 and its corresponding text portion mentioned on page 1, line 8, to page 7, line 6, referred to as "AAPA" hereinafter).

Cancellation of Claim 3 renders the rejection of that claim moot.

Claim 1 is directed to an image processing apparatus. An image pickup unit produces image data by photographing an image, and a first storage unit is adapted to store image data obtained by the image pickup unit. A compression unit is adapted to compress the image data in units of n lines, and a size reduction unit is adapted to reduce the size of the image data stored in the first storage unit. An image supply unit supplies the image data stored in the first storage unit to the compression unit and the size reduction unit in

IN THE DRAWING

The attached sheet of drawings includes changes to Fig. 11, in that Fig. 11 has been labeled "PRIOR ART." This sheet replaces the original sheet.

Attachment: Replacement Sheet

parallel without reducing the size of the image data. A second storage unit is adapted to store the size-reduced image data obtained by the size reduction unit. So as to input and compress the image data not reduced and to temporarily input and compress the size-reduced image data of the n lines when the storage of the size-reduced image data of the n lines into the second storage unit ends, the compression unit switches the two inputs.

One notable feature of Claim 1 is that, so as to input and compress image data not reduced and to temporarily input and compress size-reduced image data of n lines when storage of the size-reduced image data of the n lines into the memory ends, the compression unit switches these two inputs. Support for this feature is found in the present application as originally filed, at least in Fig. 1 (e.g., selector 20 and control circuit 32) and the corresponding description thereof.<sup>1/</sup>

Fig. 11 of the AAPA is a block diagram schematically showing the configuration of a conventional digital camera. Even if, as indicated by the Examiner, it is deemed to be well known to execute encoding of an original image and encoding of a size-reduced image by a single encoder, nothing in the AAPA teaches or suggests the above-mentioned feature of Claim 1. That is, nothing in the AAPA would teach or suggest that, so as to input and compress image data not reduced and to temporarily input and compress size-reduced image data of n lines when storage of the size-reduced image data of the n lines into the memory ends, the compression unit switches these two inputs, as recited in Claim 1.

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<sup>1/</sup>It is of course to be understood that the references to various portions of the present application are by way of illustration and example only, and that the claims are not limited by the details shown in the portions referred to.

Accordingly, Claim 1 is seen to be clearly allowable over the AAPA.

Independent Claim 7 is a method claim corresponding to apparatus Claim 1, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

Independent Claims 5 and 10 recite features similar to those discussed above with respect to Claim 1 and therefore are also believed to be patentable over the AAPA for at least the reasons discussed above.

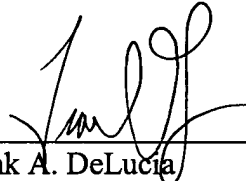
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank A. DeLucia', is written over a horizontal line.

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